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MEMO ENDORSED

January 28, 2008

BY FAX 390-4085

Hon. Charles L. Brieant
United States District Court
Southern District of New York
300 Quarropas Street
White Plains, NY 10601

RE: Simmons v. Chemprene, Inc.
07 Civ. 10447(CLB)(LMS)

Dear Judge Brieant:

This letter is written to advise the Court that plaintiff has no objection to the Court entering an Order dismissing the Complaint with leave to file in State Court. My apologies for any inconvenience to the Court.

Respectfully,



Ira M. Maurer, Esq.

IMM/im
cc via fax:
Jennifer Heitman, Esq.
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*The within action is dismissed without prejudice
and without costs for want of jurisdiction
January 29, 2008*

SO ORDERED

Charles Brieant
USDJ